APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/535,295	05/17/2005	Zsolt Saffer	AT 020070	5859

24737   7590   06/26/2008
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EXAMINER
GODBOLD, DOUGLAS

ART UNIT	PAPER NUMBER
2626	

MAIL DATE	DELIVERY MODE
06/26/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>22 April 2008</u>.

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-11</u> is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-11</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>22 April 2008</u> is/are: a)☐ accepted or b)☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All   b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   This Office Action is in response to correspondence filed April 22, 2008 in reference to application 10/535,295. Claims 1-11 are pending in the application and have been examined.

Response to Amendment

2.   The amendments filed April 22, 2008 have been accepted and considered in this office action. Claims 1,6 and 11 have been amended and claims 12 and 13 are cancelled. The drawings have also been amended.

Response to Arguments

3.   Applicant's arguments with respect to claims 1-11 have been considered but are moot in view of the new ground(s) of rejection.

Drawings

4.   New corrected drawings in compliance with 37 CFR 1.121(d) are required in this application because added labels are messy and unclear. Computer generated labels are suggested. Applicant is advised to employ the services of a competent patent draftsperson outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

6.   Claims 1, 3-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Brookes et al (US PAP 2004/0059575) in view of Belenger et al. (US Patent 7,143,033).

7.   Consider claim 1, Brookes teaches a speech recognition device for recognizing

text information corresponding to speech information, (figure 2a-2c), which speech

information can be characterized in respect of language properties (context paragraph

0053), wherein first language-property recognition means are provided that, by using

the speech information, are arranged to recognize a first language property and to

generate first property information representing the first language property that is

recognized (paragraph 0053, recognizer makes a first pass to determined context

information), and wherein speech recognition means are provided that are arranged to

recognize the text information corresponding to the speech information by continuously

taking into account at least the first property information (paragraph 0053-0054, context

is used to determine grammar for 2nd pass recognition), wherein the first language

property characterizes context of the speech information (context, paragraph 0053.).

Brookes does not specifically teach second language-property recognition means are provided that, by using the speech information, are arranged to recognize a second language property of the speech information and to generate second property information representing the second language property that is recognized; the second language property is selected from the group consisting of speech segmentation, language information, and speaker group; wherein speech recognition means are provided that are arranged to recognize the text information corresponding to the speech information by continuously taking into account at least the first property information and the second property information.

In the same field of speech recognition, Belenger teaches second language-property recognition means are provided that, by using the speech information, are arranged to recognize a second language property of the speech information and to generate second property information representing the second language property that is recognized (Abstract, Figure 1, language direction chooses output phone set.); the second language property is selected from the group consisting of speech segmentation, language information, and speaker group (figure 3, multiple language phoneme sets.

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the language detection of Belenger with the recognition system of Brookes in order to allow for accurate transcriptions in more than one language (Belenger column 3 line 65.). This combination now suggests that the speech recognition means are provided that are arranged to recognize the text information

corresponding to the speech information by continuously taking into account at least the second property information (In the obvious combination, the recognition means of Brookes would be executed following language detection and phoneme set selection of Belenger in order for the unit to function).

8.   Consider claim 3, Brookes and Belenger suggest a speech recognition device as claimed in claim 1, wherein the speech recognition means are arranged to recognize the text information with a delay of at least a time-span that is required by the at least two language-property recognition means for the generation of the at least two items of property information, during which time-span a part of the speech information is used by the at least two language-property recognition means to generate the at least two items of property information, which text information corresponding at least to a sub-area of that part of the speech information used to generate the at least two fed items of property information (Brookes teaches in figure 4b, that the recognition of context, then next recognition step are performed successively. Therefore delays are inherent to hold the data while each step is performed. When combined with Belenger, it is inherent that the data must be delayed for the language determination step to be performed.).

9.   Consider claim 4, Brookes and Belenger suggest a speech recognition device as claimed in claim 1, wherein at least one item of property information generated with the help of language-property recognition means can be fed to other language-property recognition means and wherein the other language-property recognition means are

arranged to take into account the at least one item of property information that is fed to them when recognizing the language property of the speech information and when generating the property information (Figure 4B of Brookes shows that the steps are performed in succession. Therefore when Belenger is combined with Brookes, this step would be performed in succession as well, as Belenger would limit the contexts available to Brookes).

10.   Consider claim 5, Brookes and Belenger suggest a speech recognition device as claimed in claim 4, wherein the other language-property recognition means are arranged to recognize the language property with a delay of at least a time-span that is required for the generation of the at least one item of property information that is fed to them, during which time-span a part of the speech information is used by the language-property recognition means to generate the at least one item of property information that is fed to them, said language property characterizes at least a sub-area of that part of the speech information that is used to generate the at least one fed item of property information (Brookes teaches in figure 4b, that the recognition of context, then next recognition step are performed successively. Therefore delays are inherent to hold the data while each step is performed. When combined with Belenger, it is inherent that the data must be delayed for the language determination step to be performed.).

11.   Claim 6 is a method requiring similar limitations to those of claim 1 and is therefore rejected for similar reasons.

12.   Claim 8 is a method requiring similar limitations to those of claim 3 and is therefore rejected for similar reasons.

13.   Claim 9 is a method requiring similar limitations to those of claim 4 and is therefore rejected for similar reasons.

14.   Claim 10 is a method requiring similar limitations to those of claim 5 and is therefore rejected for similar reasons.

15.   Claim 11 is a computer readable medium (which is taught paragraph 0010 of Brookes.) including code requiring similar limitations to those of claims 1 and 6, and is therefore rejected for similar reasons.

16.

17.   Claims 2 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brookes in view of Belenger as applied to claims 1 and 6 above, and further in view of Lee et al. (US PAP 2002/0087306).

18.   Consider claim 2, Brookes and Belenger teach a speech recognition device as claimed in claim 1, but does not specifically teach receiving means are provided that are arranged to receive the speech information via at least two recognizable reception channels, wherein reception-channel recognition means are provided that are arranged

to recognize the reception channel being used at the time to receive the speech information and to generate channel information representing the reception channel recognized, and wherein at least one of the at least two language-property recognition means and/or the speech recognition means are/is arranged to take into account the channel information.

In the same field of speech recognition, Lee teaches receiving means are provided that are arranged to receive the speech information via at least two recognizable reception channels (paragraph 0011, multi-port board 36 accepts multiple phone calls.), wherein reception-channel recognition means are provided that are arranged to recognize the reception channel being used at the time to receive the speech information and to generate channel information representing the reception channel recognized (noise domain unit 38 detects background noises and takes into account for model detection, paragraph 0012, 0013), and wherein at least one of the at least two language-property recognition means and/or the speech recognition means are/is arranged to take into account the channel information (paragraph 0014, speech models are adjusted for speech recognition in accordance with noise detection results).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the noise compensation and multi-channel input of Lee with the system of Brookes and Belenger in order to allow the recognition system of function in noisy environments (paragraph 0004) and to allow multiple users to access the recognition.

19.   Claim 7 is a method requiring similar limitations to those of claim 2 and is

therefore rejected for similar reasons.

Conclusion

20.   Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

        A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

        Any inquiry concerning this communication or earlier communications from the

examiner should be directed to DOUGLAS C. GODBOLD whose telephone number is

(571)270-1451. The examiner can normally be reached on Monday-Thursday 7:00am-

4:30pm Friday 7:00am-3:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Edouard can be reached on (571) 272-7603. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DCG

/Patrick N. Edouard/
Supervisory Patent Examiner, Art Unit 2626